

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

PENNY WHITNEY,

Plaintiff,

vs.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

COMPLAINT

Civil Case No.: 1:14-cv-04266-DCN-SVH

1. This complaint is brought by Penny T. Whitney, South Carolina, to review a final decision of the Commissioner of Social Security, in which the Court has jurisdiction under Section 205 (g) of the Social Security Act, as amended 42 U.S.C. 405 (g).
2. This appeal has been commenced within the time period as specified by the Social Security Administration to review the decision of the Appeals Council rendered on January 28, 2014.
3. Plaintiff has exhausted all of her administrative remedies prior to the filing of this appeal.
4. Plaintiff was denied Disability Insurance Benefits under the Social Security Act by decision of an Administrative Law Judge of the Office of Hearings and Appeals, dated October 24, 2012. The Appeals Council denied the request for review of the decision of the Administrative Law Judge by Notice, dated January 28, 2014.
5. The decision denying Plaintiff's claim is not in accordance with the purpose and intent of the Social Security Act, nor is it in accordance with the law, nor is it in accordance with the evidence, but contrary thereto, in that Plaintiff is disabled, as defined by the Social Security Act.

WHEREFORE, Plaintiff prays that the Commissioner of Social Security, Defendant herein, be required to answer this Complaint and to file a certified copy of the transcript of the record, including the evidence on which said findings and decisions are based, and that the said decisions of the Administrative Law Judge and Appeals Council be reviewed, reversed, and set aside, and that the claim of the Plaintiff Penny T. Whitney for Disability Insurance Benefits be allowed.

This 28th day of March, 2014.

s/Richard J. Paul
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